

United States District Court

for

District of New Jersey

Amended Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: William I. Schwartz, Jr.

Docket Number: 2:06:cr3820-05

PACTS Number: 45810

Name of Sentencing Judicial Officer: William H. Walls

Date of Original Sentence: 12/21/09

Original Offense: Withholding Information on a Crime 18 U.S.C. 4

Original Sentence: 3 years probation

Special Conditions: Full Financial Disclosure, No New Credit, DNA collection, \$180,900 restitution

Type of Supervision: Probation

Date Supervision Commenced: 12/17/09

Assistant U.S. Attorney: Vikas Khanna, 970 Broad Street, Room 502 Newark, New Jersey 07102 (973) 645-2700

Defense Attorney: Gary R. Thompson, Esq., 78 Sunset Road, Pompton Plains, New Jersey 07444 (973) 248-1651

PETITIONING THE COURT

☐ To issue a warrant

☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

The offender has violated the supervision condition which states 'You shall not commit another federal, state, or local crime.'

Specifically, on October 12, 2010, the offender had police contact when his wife called the police and reported that he was harassing her and that she was afraid of him. She reported that he grabbed her wrists and would not allow her to leave the room. The offender failed to report this law enforcement contact to the undersigned officer within 72 hours. A domestic violence restraining order was issued and was served to the offender on October 29, 2010. West Milford Police obtained a search warrant for the home after Mr. Schwartz's wife reported that he had three firearms. The police asked him if he had any firearms and he reported that he did not. They searched the home but did not find any firearms. On November 3, 2010, the offender's wife called the police and reported that she found one of the firearms. A 22 caliber rifle and ammunition were recovered. A

warrant was then issued for the offender, charging him with contempt of court. A disposition has not yet been reached.

- 2 The offender has violated the supervision condition which states **'You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.'**

The offender did not report the police contact on October 12, 2010.

- 3 The offender has violated the supervision condition which states **'You are restricted to your residence at all times except for the following: education, religious services, medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities pre-approved by the pretrial services office or supervising officer. Additionally, employment is permitted.'**

Mr. Schwartz was arrested on a warrant for this violation of probation and appeared for an initial appearance with Judge Falk on November 24, 2010. He was placed on electronic monitoring as a condition of his bail.

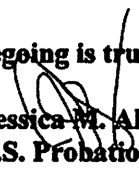
Specifically, he continues to fail to provide a set schedule of the exact times he will need to be out and exact places of where he will be despite having been instructed on several occasions to do so. He sent various emails stating that he will be taking his sons out despite having been told that a schedule can only be entered for extracurricular activities that they are involved with. He was reminded that he is to visit with them at the address where he is staying and he is unable to take them out unless he has prior approval. He failed to abide by this and continues to be in and out of range for long periods of time while he is with them.

He informed the undersigned officer that he would be going to a Christmas party at his brother's home on Christmas Eve. Despite having been told that he could not go, as it was not approved by the undersigned officer or the Court, he was out of range on December 24, 2010. The undersigned officer called the offender and left a message as well as an email for the offender instructing him to return home immediately. He returned home at 10:33 pm after being out of range for hours. On December 20, 2010 he asked if he could fix a washing machine for his boss after work. He did not return at his scheduled time despite having been told that this was not an approved schedule change.

- 4 The offender has violated the supervision condition which states **'If convicted of a felony offense, the defendant shall not possess a firearm or destructive device.'**

On January 20, 2011, the West Milford Police Department seized a .22 caliber Hopkins and Allen rifle in addition to 450 rounds of Rim Fire High velocity ammunition cartridges. Despite initially denying possession of any firearms to the police department, he later allocuted in a plea hearing at the Passaic County Superior Court, the rifle belonged to him.

I declare under penalty of perjury that the foregoing is true and correct.

By: 
Jessica M. Alberts
U.S. Probation Officer
Date: 1/23/12

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
- ☒ The Issuance of a Summons. Date of Hearing: 5 Apr 2012
- ☐ No Action
- ☐ Other



Signature of Judicial Officer

14 March 2012

Date